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Pro Se Litigant

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**IN THE UNITED STATES DISTRICT COURT**  
**DISTRICT OF UTAH**

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**RUSSELL GREER,**

Plaintiff

v.

**JOSHUA MOON ET AL,**

Defendants

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**PLAINTIFF'S DRAFT ATTORNEY  
PLANNING MEETING REPORT**

Case No.: 3:24-cv-00065

Plaintiff Russell Greer files his draft APMR and proposes the following.

**1. PRELIMINARY MATTERS:**

This case was initially filed as a case with multiple claims. The remaining claims are for multiple counts of copyright infringement. It is hoped that this can be resolved with the finding of willful infringement and damages being awarded to Plaintiff.

b. This case is referred to magistrate judge Jared Bennett and both parties consent to the assignment for all proceedings.

c. Pursuant to Fed. R. Civ. P. 26(f), Plaintiff reached out to Defendants' counsel Matthew Hardin, on Tuesday the 8<sup>th</sup> of October, and both parties agreed that Greer would write up his draft report, file it and then Defendants would counter with their proposals.

d. The parties have exchanged and filed initial disclosures required by Rule 26(a)(1) earlier this year on 5-15-24.

e. Pursuant to Fed. R. Civ. P. 5(b)(2)(D), all items required to be served under Fed. R. Civ. P. 5(a) by either (i) notice of electronic filing, or (ii) email transmission. Such electronic service will constitute service and notice of entry as required by those rules. Any right to service by USPS mail will be made on a case by case basis.

**2. DISCOVERY PLAN:** The parties jointly propose to the Court the following discovery plan:

a. **Discovery is necessary on the following subjects:** The subject will be on Greer's copyrights.

b. **Discovery issues,**

Discovery will be limited to or focused on particular issues. The specific issues are:

- how many times Kiwi Farms users downloaded Greer's copyrights,
- how many individual copyrights of Greer's are exactly on Kiwi Farms.

- how many times Null (Mr. Moon's username on KF) himself viewed the threads on Greer and his copyrights.

**c. Designate the discovery methods to be used and the limitations to be imposed.**

Discovery will be done by Mr. Moon searching his site for the above issues and then providing to Greer through email the sought after information.

**(1) For oral exam depositions:**

**Oral Exam Depositions**

Plaintiff 1

Defendants 1

Maximum number of hours per deposition 2

**(2) For interrogatories,** requests for admissions, and requests for production of documents, specify the maximum number that will be served on any party by any other party.

Interrogatories 1

Admissions 1

Requests for production of documents 1

**(3) Other discovery methods:** No other methods are suggested z

**d. Discovery of electronically stored information should be handled as follows:** Both parties will provide required documentation.

**e. The parties have no claims of privilege or protection.**

**f. Last day to file written discovery 11-15-24**

**g. Close of fact discovery 12-10-24.**

**3. AMENDMENT OF PLEADINGS AND ADDITION OF PARTIES:**

a. The cutoff dates for filing a motion to amend pleadings are: **12-10-24**

Plaintiff **12/10/24**, Defendants **12/10/24**

b. The cutoff dates for filing a motion to join additional parties are: **12-10-24**

Plaintiff **12/10/24**, Defendants **12/10/24**

**4. EXPERT REPORTS:**

a. The parties will disclose the subject matter and identity of their experts on **11-30-24**.

Party bearing burden of proof **11/30/24**, Counter Disclosures **12-10-24**.

b. Reports from experts under Rule 26(a)(2) will be submitted on **12-30-24**.

Party(ies) bearing burden of proof **12-30-24**,

Counter Reports **1-30-25**

**5. OTHER DEADLINES:**

a. Expert Discovery cutoff: **12/10/24**

b. Deadline for filing dispositive or potentially dispositive motions including motions to exclude experts where expert testimony is required to prove the case.

**12/10/24**.

c. Deadline for filing partial or complete motions to exclude expert testimony **12/10/24**.

**6. ADR/SETTLEMENT:**

Use separate paragraphs/subparagraphs as necessary if the parties disagree.

a. The potential for resolution before trial is: **poor**.

b. At this time, Defendants have resisted all attempts to settle the case.

c. The parties will re-evaluate the case for settlement/ADR resolution on 12/10/24.

**7. TRIAL AND PREPARATION FOR TRIAL:**

a. The parties should have 14 days after service of final lists of witnesses and exhibits to list objections under Rule 26(a)(3).

b. This case should be ready for trial by: specify date 01/15/25.

Specify type of trial: **Jury. Bench, if jury not available.**

c. The estimated length of the trial is: 2 days.

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Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Signature and typed name of Plaintiff(s) Attorney

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Signature and typed name of Defendant(s) Attorney

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Respectfully

DATED: September 10<sup>th</sup>, 2024

Russell Greer

Pro Se

**CERTIFICATE OF SERVICE:**

Pursuant to FRCP 5(b), I certify that on October 9th2024, I served a true and correct copy of the attached document by E-filing through the Court to Mathew Hardin.